

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CLIFTON DACAS,

Plaintiff,

- against -

ORDER ADOPTING REPORT
AND RECOMMENDATION
17-CV-03568 (ILG) (SMG)

VINCENT DUHANEY, JEANETTE
CLOUDEN AKA JEANETTE DUHANEY,
RUTLAND ROAD MEAT AND FISH,
986 RUTLAND REALTY, LLC, 144
HOLDINGS LLC, EPP MANAGEMENT LLC,
and JOHN DOES 1-10,

Defendants.

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GLASSER, Senior United States District Judge:

Before the Court is the Report and Recommendation of Magistrate Judge Steven M. Gold, dated October 15, 2019, which recommends that the Court (1) deny plaintiff's motion for default judgment against 986 Rutland Realty, LCC ("Rutland Realty") and EPP Management LLC ("EPP"); (2) grant Rutland Realty's and EPP's cross-motions to vacate the Clerk of Court's entry of their default; (3) deny Rutland Realty's and EPP's motion for judgment on the pleadings; and (4) grant plaintiff leave to amend the complaint. ECF No. 67. Judge Gold further recommends that plaintiff recover reasonable attorneys' fees and costs incurred in connection with the motion for default judgment against Rutland Realty and EPP. Objections to the Report and Recommendation were due no later than October 29, 2019. As of this date, no objections have been filed.

When examining a report and recommendation, the court reviews *de novo* "those portions of the report . . . to which objection is made." 28 U.S.C. § 636(b)(1). However, where there are no objections, "the district court need only satisfy itself that there is no clear error on the face of

the record.” *Ningbo Yang Voyage Textiles Co. v. Sault Trading*, No. 1:18-cv-1961 (ARR) (ST), 2019 WL 5394568, at *1 (E.D.N.Y. Oct. 22, 2019) (quoting *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017)). Finding no clear error, the Court adopts Judge Gold’s thorough and well-reasoned Report and Recommendation in its entirety. The matter of plaintiff’s attorneys’ fees and costs is referred to Judge Gold in the event the parties cannot reach an agreement.

SO ORDERED.

Dated: Brooklyn, New York
November 6, 2019

/s/ _____
I. Leo Glasser U.S.D.J.